

OGC-Navy-4/51

Outline of Legislation and Directives Pertaining to Defense Mobilization
and Emergency Powers

WORLD WAR II LEGISLATION

<u>Proclamation 2352: Limited National Emergency</u> (54 Stat. 2643)	Sept. 8, 1939
<u>Proclamation 2487: Unlimited National Emergency</u> (55 Stat. 1647)	May 27, 1941
In effect until expressly terminated (40 OAG 421, dated Sept. 1, 1945, citing 251 US 146)	
Proc. 2714: Cessation of Hostilities of World War II (61 Stat. 1048)	Dec. 31, 1946
P.L. 239, 80th Congress (61 Stat. 449) Terminating certain emergency and war powers.	July 25, 1947
 <u>Public Law 703, 76th Congress</u> (50 USC App. 1171)	July 2, 1940
Acquisition and disposal of facilities	
E. O. 9262 extended authority to Navy	Nov. 5, 1942
 <u>First War Powers Act</u> (50 USC App. 601)	Dec. 18, 1941
Title I - Coordination of Executive Bureaus	
Title II - War Contracts	
E. O. 9001	Dec. 27, 1941
 <u>Second War Powers Act</u> (50 USC App. 631)	Mar. 27, 1942
Title III - Priorities Powers	
Title VI - Power to Requisition	
Title XIII - Inspection and Audit of War Contractors	
 <u>Emergency Price Control Act</u> (50 USC App. 901)	Jan. 30, 1942
Control of Prices and Rents	
 <u>Contract Settlement Act</u> (41 USC 101)	July 1, 1944

<u>Strategic and Critical Materials Stockpiling Act (50 USC 98)</u> Mun. Bd. "determines"; GSA purchases, stores & disposes	July 23, 1946
<u>Naval Research Act (5 USC 475)</u> Establishes ONR in Navy: planning and coordination of naval research; supervision and control of problems re patents, royalties, etc.	Aug. 1, 1946
<u>National Security Act (5 USC 171)</u> Nat. Sec. Council, NSRB, Mun. Bd. SecDef has "direction, authority, and control over" the Dept. of Defense, under which the 3 mil. depts. shall be "separately administered by their respective Secretaries"	(July 26, 1947 Aug. 10, 1949)
<u>Facilities Leasing Act (P.L. 364, 80th Cong., 34 USC 522a)</u> Authorizes A & N to lease temporarily excess realty or personalty, with cash rent to Treasury and with maintenance or repair O.K. as part or all of consideration	Aug. 5, 1947
<u>Armed Services Procurement Act (P.L. 413, 80th Cong., 41 USC 151)</u> Authority and policies re formal adv., negotiation, types of contracts, advance payments, and joint procurement	Feb. 19, 1948
<u>CNO-CNM Act (5 USC 423a)</u> Authority and duties of CNO and CNM; latter to coordinate and direct "policies of procurement, contracting, and production of material"	Mar. 5, 1948
<u>Renegotiation Act of 1948 (50 USC 1193)</u> Renegotiation of negotiated military contracts over \$1000, if fiscal year renegotiable business exceeds \$100,000 (See infra, Renegotiation Act of 1951)	May 21, 1948
<u>Selective Service Act of 1948 (50 USC App. 468)</u> Section 18 authorizes mandatory procurement orders and plant seizure (until July 9, 1951, by Act of 6/30/50)	June 24, 1948
<u>National Industrial Reserve Act (P.L. 883, 80th Cong., 50 USC 451)</u> Authorizes national industrial reserve of plants, machine tools, etc.; "National Security Clause"	July 2, 1948
<u>Federal Property and Administrative Services Act (P.L. 152, 81st Cong., 41 USC 201)</u> Gives GSA supervision of housekeeping functions (especially disposal) of procurement, use, and disposal of Govt. property	June 30, 1949
<u>Mutual Defense Assistance Act (22 USC 1571)</u> Military assistance (via transfers or procurement) to foreign nations (especially NATO)	Oct. 6, 1949

CURRENT LEGISLATION (since Korea)

Defense Production Act of 1950

Sept. 8, 1950

(P.L. 774, 81st Cong., 50 USC App. 2061)

- Title I - Priorities and Allocations
- Title II - Requisitioning
- Title III - Expansion of Productive Capacity
- Title IV - Price and Wage Stabilization
- Title V - Labor Disputes
- Title VI - Consumer Credit
- Title VII - General Provisions

Sec. 124A - Internal Revenue Code

Sept. 23, 1950

Sec. 216, Revenue Act of 1950; 26 USC 124a)

Accelerated Amortization of Emergency Facilities
"Certificates of Necessity" issued by DPA (formerly
by NSRB, until E. O. 10200 of Jan. 3, 1951) re
facilities completed or acquired after December 31,
1949

Public Law 921, 81st Congress (50 USC App. 611)

Jan. 12, 1951

"Revitalization" of Title II, First War Powers Act

Renegotiation Act of 1951 (P.L. 9, 82nd Cong., 50 USC 1193)

Mar. 23, 1951

Renegotiation of all contracts (re receipts and accruals
after Jan. 1, 1951) if fiscal year renegotiable business
over \$250,000; independent 5-man Board

CURRENT EXECUTIVE ORDERS AND DIRECTIVES

E. O. 10161 (15 FR 6105)	Delegations of Functions under Defense Production Act	Sept. 9, 1950
Fed. Reserve System Reg. V (15 FR 6630)	Loan Guarantees for Defense Production	Sept. 27, 1950
NSRB Regs. on Amortization of Emergency Facilities (15 FR 7265)	Criteria for Issuance of Necessity Certificates under Sec. 124A of Int. Rev. Code	Oct. 26, 1950
E. O. 10182 (15 FR 8013) as amended by E. O. 10205 (16 FR 419)	Delegation of Functions under Sec. 710(b), (c), and (d) of DPA re remployment of experts and consultants	Nov. 21, 1950 Jan. 16, 1951
NSRB Regs. for Loans under Sec. 302 of DPA (15 FR 7978)	Criteria for Direct Loans under Sec. 302 of DPA	Nov. 21, 1950
Proclamation 2914 (15 FR 9029)	Proclaiming Existence of National Emergency	Dec. 16, 1950
E. O. 10193 (15 FR 9031)	Establishing the Office of Defense Mobilization	Dec. 16, 1950
AstSecNav Determination on Use of Negotiation	Authorizing negotiation of Contracts under Section 2(c)(1) of P. L. 413	Dec. 18, 1950
E. O. 10200 (16 FR 61)	Establishing the Defense Production Administration	Jan. 3, 1951
ESA General Ceiling Price Reg. (16 FR 808)	Price Control	Jan. 26, 1951
Supp. Reg. 1 to GCPR, with amendments (16 FR 1006, 1234, 1707)	Defense Agency Pricing: exemptions from ceiling	Feb. 1, 1951 (Feb. 7, 1951 (Feb. 16, 1951
E. O. 10210 (16 FR 1049)	Delegation of Authority under Title II of First War Powers Act, as amended (implemented by Defense regs. of Feb. 21, 1951, re amendments without	Feb. 2, 1951

NSC National Security Council (in the Executive Office of the President). Advises President on coordination of domestic, foreign, and military policies affecting national security. Members: President (Chairman), Vice-President, Secretary of State, Secretary of Defense, Chairman NSRB. Executive Secretary: James S. Lay.

NSRB National Security Resources Board (in the Executive Office of the President). Overall military and economic planning. Advises President on coordination of military, industrial and civilian mobilization. Members: Chairman (Stuart Symington), Secretaries of State, Treasury, Defense, Interior, Agriculture, Commerce, and Labor.

CEA Council of Economic Advisers (in the Executive Office of the President). Economic aspects of Federal policy, legislation, and defense mobilization. Chairman: Leon H. Keyserling.

ODM Office of Defense Mobilization (in the Executive Office of the President). Overall direction, control, and coordination of all mobilization activities. Director: Charles E. Wilson, Defense Mobilization Board: Director (Chairman); Secretaries of Defense, Treasury, Interior, Commerce, Agriculture, and Labor; Chairmen of RFC, Board of Governors of Federal Reserve System, NSRB; Administrators of ESA and DPA.

DPA Defense Production Administration. Establishes production programs and goals; supervises operations; acts as certifying authority for accelerated amortization of emergency facilities. Administrator: William H. Harrison.

NPA National Production Authority (Department of Commerce). Priorities and allocations of materials and facilities (other than fuel, food, electric power, and transportation). Administrator: Manly Fleischmann.

ESA Economic Stabilization Agency. Plans, develops, and administers price ceilings and wage stabilization. Administrator: Eric A. Johnston.

OPS Office of Price Stabilization. Price controls. Director: Michael V. DiSalle.

WSB Wage Stabilization Board (9 members: 3 public, 3 labor, 3 industry). Wage controls. Chairman: Cyrus Ching.

OHE Office of the Housing Expediter. Rent controls. Expediter: